

## REMARKS

In view of the foregoing claim amendments, and the remarks that follow, applicants respectfully submit that all of the pending claims are in condition for allowance. Reconsideration and favorable action are requested.

### Response to Restriction Requirement

At Page 2 of the Office Action mailed September 11, 2003, the Examiner states that applicants' attorney Barry F. McGurl made a provisional election with traverse to prosecute the invention of Group 1 (Claims 1-37). Applicants' attorney respectfully points out that he elected Claims 1-37 without traverse. Applicants respectfully request that the Examiner make a note in the file to indicate that the election is without traverse.

### Informalities in the Specification

The Examiner notes that, on page 5, line 1 "conduit 36" does not appear to be labeled in Figure 3. Applicants note that the correct parts number for the conduit in figure 3 is conduit 42 (see specification at page 4, line 28), and conduit 42 is so labeled in FIGURE 3. Appropriate correction has been made at page 5, line 1 of the present application.

### Rejection of Claims 1-37 Under 35 U.S.C. § 103(a) as Being Unpatentable

Over Roy, and Further in View of one or More of Andrus, Hashimoto et al., and Deans et al.

Applicants note that pending independent Claims 1 and 37 both recite that the purification device body is segmented.

The Examiner argues that the Roy patent (U.S. Patent 3,839,202) discloses the structure of the purification device substantially as claimed in Claims 1-7, 12-16, and 28-33. Applicants note that the Roy patent does not disclose a segmented purification device. As explained at page 5, lines 8-10 of the present application:

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>LLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

"Typically, it is desirable that device 10 be sufficiently flexible to at least partially bend in response to force exerted by water moving over device 10. In this regard, device 10 can be segmented, such as in the embodiment shown in FIGURE 1, . . . ."

The Roy patent neither discloses nor suggests the desirability of a segmented body. Thus, applicants submit that the presently claimed purification device is not obvious in view of the disclosure of the Roy patent.

The Examiner rejects Claims 8-11 and 34-36 under 35 U.S.C. § 103(a) as being unpatentable over Roy, and further in view of Andrus (U.S. Patent 2,072,976). The Examiner states that the Andrus patent discloses, at page 2, Col. 1, line 50 through Col. 2, line 26, that it is known in the art to utilize an apparatus containing a segmented body or a plurality of bags of coagulum forming chemicals to aid in purifying water. The Examiner argues that it would have been obvious to one skilled in the art to modify the device of Roy by including the recited segmented body and flocculants disposed in the first and second halves in view of the teachings of Andrus to aid in purifying the water.

Applicants respectfully submit that the Andrus patent does not disclose a purification device having a segmented body. The Andrus patent discloses a plurality of separate porous containers that are fastened to the respective opposite sides of a paddle. The porous containers are filled with chemicals, which when dissolved in water, react to produce a coagulating material such as aluminum hydroxide or iron hydroxide (see, Andrus patent, page 1, Col. 2, lines 30-37). The portion of the Andrus patent cited by the Examiner (page 2, Col. 1, line 50, through Col. 2, line 26) describes the embodiment of the Andrus invention shown in FIGURES 4, 5 and 6. This embodiment includes three separate bags numbered 13, 14, and 15 that are sealed and are

attached to a metal clip 16. The bags 13, 14, and 15 are separate bags, and are not the segmented portions of a body as required by the claims of the present application.

Moreover, the Andrus patent does not disclose a body that contains a water-soluble flocculant. The Andrus invention includes a multiplicity of bags that are filled with chemicals which, when dissolved in water, react to produce a coagulating material such as aluminum hydroxide or iron hydroxide. The unreacted chemicals in the bags are not themselves flocculants. For the foregoing reasons applicants respectfully submit that the pending claims are not obvious in view of the combination of the Roy patent and the Andrus patent.

The Examiner rejects Claims 17-20, 24, 26, and 27 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Roy, Andrus, and further in view of Hashimoto et al. (U.S. Patent 4,382,864). Applicants note that the Hashimoto et al. publication does not disclose or remotely suggest a purification device having a segmented body. Thus, the Hashimoto et al. patent does not cure the deficiencies of the Roy and Andrus patents.

The Examiner rejects Claims 21-23 and 25 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Roy in view of Hashimoto et al. and further in view of Deans et al. (U.S. Patent 5,336,415). Again, applicants note that the Deans et al. patent does not disclose or remotely suggest a purification device having a segmented body. Thus, the Deans et al. patent does not cure the deficiencies of the Roy and Andrus patents.

The Examiner rejects Claim 37 under 35 U.S.C. § 103(a) as being unpatentable over Roy in view of Hashimoto et al. and Deans et al. and further in view of Andrus. For the reasons set forth in the discussion of the rejection of Claims 8-11 and 34-36 over the combination of Roy and Andrus, applicants submit that Claim 37 is not obvious in view of the foregoing patents.

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

CONCLUSIONS

In view of the foregoing claim amendments and arguments, applicants submit that all of the pending claims are in condition for allowance. Reconsideration and favorable action are requested.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Barry F. McGurl  
Registration No. 43,340  
Direct Dial No. 206.695.1775

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: 1/9/04



BFM:jlj

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100